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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jerome BESSE et al.

Serial No.: 10/500,213

Filed: June 28, 2004

For: MICRONIZED PHARMACEUTICAL OR NUTRACEUTICAL POWDER  
WITH IMMEDIATE RELEASE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Attention: APPLICATION BRANCH**  
**MISSING REQUIREMENTS OF APPLICATION**

Sir:

With respect to the above-identified national phase application, the following are filed herewith in response to the Notification of Missing Requirements under 35 U.S.C. 371, mailed **December 7, 2004**, copy attached.

- ☒ Declaration in compliance with 37 C.F.R. §1.63.
- ☐ Declaration in compliance with 37 C.F.R. §1.63, attached to copy of specification as filed.
- ☒ If a Petition for Extension of time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge and fees necessary under 37 CFR 1.17 (a) - (d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.

Appln. No. 10/500,213



Respectfully submitted,

JACOBSON HOLMAN PLLC

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Atty. Docket: P69868US0  
Date: February 4, 2005  
IMA/cmf



12/10/04  
 christy / Mona  
 PL 9868US0  
 UNITED STATES PATENT AND TRADEMARK OFFICE

TC 12-10-04

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/500,213	FIRST NAMED APPLICANT Jerome Besse	ATTY. DOCKET NO. P69868US0
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INTERNATIONAL APPLICATION NO.
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PCT/FR02/04575

I.A. FILING DATE 12/27/2002	PRIORITY DATE
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00136

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JACOBSON HOLMAN PLLC

Response Due On Or Before

2 / 7 / 05  
 Month Day Year

CONFIRMATION NO. 2581

371 FORMALITIES LETTER



\*OC000000014688236\*

Date Mailed: 12/07/2004

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/28/2004
- Copy of the International Search Report filed on 06/28/2004
- Copy of IPE Report filed on 06/28/2004
- Preliminary Amendments filed on 06/28/2004
- Request for Immediate Examination filed on 06/28/2004
- U.S. Basic National Fees filed on 06/28/2004
- Priority Documents filed on 06/28/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 305-3654

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,213	PCT/FR02/04575	P69868US0

FORM PCT/DO/EO/905 (371 Formalities Notice)